

3/21/19

2:19 P.M.

Chapter No. 373  
19/HR26/R1704  
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## ***HOUSE BILL NO. 1226***

Originated in House



Clerk

HOUSE BILL NO. 1226

AN ACT TO AMEND SECTION 73-21-126, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF PHARMACY TO CONDUCT CRIMINAL HISTORY RECORDS CHECKS ON ALL APPLICANTS FOR LICENSES FOR IN- AND OUT-OF-STATE WHOLESALE DISTRIBUTORS, CHAIN PHARMACY WAREHOUSES AND REPACKAGERS SHIPPING INTO MISSISSIPPI; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Section 73-21-126, Mississippi Code of 1972, is amended as follows:

73-21-126. (1) The State Board of Pharmacy shall promulgate rules regarding the issuance and renewal of licenses and permits for new or renewal application requirements for both in- and out-of-state wholesale distributors, chain pharmacy warehouses and repackagers shipping into Mississippi. Requirements for new and/or renewal applications, if information has not been previously provided to the board, will include, but not be limited to, the following:

(a) Type of ownership (individual, partnership or corporation);

(b) Names of principal owners or officers and social security numbers;

(c) Names of designated representatives and social security numbers;

(d) Criminal background checks of applicants and designated representatives as required by rule;

(e) Copy of license in home state;

(f) Bond requirements.

(2) To ensure that all applicants are of good moral character, the board shall conduct a criminal history records check on all applicants for a license. In order to determine the applicant's suitability for licensing, the applicant shall be fingerprinted. The board shall submit the fingerprints to the Department of Public Safety for a check of the state criminal records and forwarded to the Federal Bureau of Investigation for a check of the national criminal records. The Department of Public Safety shall disseminate the results of the state check and the national check to the board for a suitability determination. The board shall be authorized to collect from the applicant the amount of the fee that the Department of Public Safety charges the board for the fingerprinting, whether manual or electronic, and the state and national criminal history records checks.

(3) The board shall promulgate rules for the establishment of a pedigree or electronic file to be used by wholesale distributors, chain pharmacy warehouses and repackagers for the

purpose of ensuring the integrity of drugs owned, purchased, distributed, returned, transferred and sold when the products leave the normal distribution channel.

( \* \* \*4) The board is authorized to use an outside agency to accredit wholesale distributors and repackagers, including the National Association of Boards of Pharmacy's (NABP) Verified Accredited Wholesale Distributors (VAWD) program.

( \* \* \*5) Pharmacies shall not be responsible for verification or adjudication of the pedigree for pharmaceuticals.

( \* \* \*6) The board may exempt wholesalers accredited by the VAWD program from the above requirements.

**SECTION 2.** This act shall take effect and be in force from and after July 1, 2019.

PASSED BY THE HOUSE OF REPRESENTATIVES  
February 7, 2019

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 12, 2019

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR

3/21/2019

J. P. [Signature]